



A secondary dwelling unit (SDU) is a small home that is built in addition to the primary dwelling on a lot zoned R-1 (Low-Density Residential). These units are commonly known as "mother-in-law apartments", "granny-flats", or studio apartments. An SDU may be attached or detached from the primary dwelling. A dwelling unit includes space for living, sleeping, food preparation, and bathroom facilities.

## Land Use Code Requirements

Eugene Code, Chapter 9, Section 9.2741(2)

If the secondary dwelling is **within the same building** as the primary dwelling:

1. It cannot be bigger than 800 square feet, unless occupying the full story of a multi-story structure with ground floor residential use (ground floor cannot be a garage).
2. The property owner must occupy either the primary dwelling or the secondary dwelling.
3. There must be at least 2 off-street parking spaces on the property, one for the SDU and one for the primary dwelling.
4. The lot must be at least 4,500 square feet. Flag lots must be at least 13,500 square feet.
5. No more than 3 dogs are allowed on the lot.

**In addition** to the standards above, **detached** secondary dwellings must meet the following standards:

1. The lot must be at least 6,000 square feet. Flag lots must be at least 13,500 square feet.
2. If the SDU is within 20 feet of a property line, the maximum building height is 15 feet to the highest point of the roof. An additional 7 feet of building height is allowed for roof slopes of 6:12 or steeper.
3. A walkway is required from the street or alley to the primary entrance of the SDU.
4. The primary entrance to a SDU must have a roofed porch.
5. Outdoor storage and garbage areas must be screened from view from neighboring properties.

Before a building permit can be issued for an SDU, the owner must provide the City of Eugene with a copy of a notice that has been recorded with the Lane County Clerk. This notice

documents the requirement that the SDU or primary dwelling is, and will remain, owner occupied.

Secondary dwellings must comply with other development standards such as:

- Minimum building setbacks
- Maximum lot coverage
- Solar setbacks
- Undergrounding of utilities

Please contact Land Use staff at 541-682-8336 for information related to these development standards.

## Building Code Requirements

Oregon Residential Specialty Code (ORSC)

### Dwelling Unit Separation

ORSC R302.3, Appendix K

Fire Separation:

- The dwellings must be separated to prevent a fire from spreading from one unit to the other. The separation must consist of either:
  1. A 6 foot open space between detached buildings, or
  2. 1-hour fire-resistance rated walls and/or floor-ceiling assemblies.

The walls or floors must be constructed to provide a complete separation between units. For example, wall assemblies must extend through attic spaces to the underside of the roof sheathing. The structure that supports a fire-rated floor (bearing walls, beams, columns) must also be protected to achieve a 1-hour rating.

- A detailing of the proposed fire-rated construction must be provided in the plans. Fire-rated assemblies may be found in the Gypsum Association's Fire Resistance Design Manual, UL's Fire Resistance Directory, Chapter 7 of the Oregon Structural Specialty Code (OSSC), or other resources.

#### Sound Insulation:

- Wall and floor assemblies that separate dwelling units are required to have a Sound Transmission Class (STC) of 45. In addition, floor assemblies are required to have an Impact Insulation Class (IIC) of 45.

#### **Mechanical Systems**

ORSC M1305, M1602

- All heating and cooling equipment must be located so access is available to both dwelling occupants.
- Equipment installation in one dwelling that serves the adjacent dwelling is not permitted, although separate systems or a common access area are options.
- Providing a key to gain entry to one unit is not an option since continued access cannot be assured.
- Forced air heating systems must not take return air from one dwelling unit, and supply it to another.

#### **Water Heaters**

Oregon Plumbing Specialty Code (OPSC) 605.3

Similar to mechanical systems, water heaters must be accessible to the occupants of each dwelling. Separate systems or a common accessible area for the water heater are acceptable.

#### **Electrical Systems**

Oregon Electrical Specialty Code (OESC) 240.24

A separate electrical meter is required for each dwelling and access for the occupants of each dwelling unit must be provided to the electrical

panel. Discussing variations with an electrical inspector is advised prior to performing any work.

Please contact a residential plan reviewer at 541-682-5611 for any building code related questions.

#### **Systems Development Charges**

EC 7.700, City of Eugene SDC Methodologies

A new secondary dwelling unit will generate Systems Development Charges (SDCs). SDCs are fees that are paid at the time the building permit is picked up. These fees are used to support the public infrastructure (roads system, stormwater, wastewater, and parks) that the new development will impact.

SDCs can be paid in full at the time the building permit is picked up, or they may be put on contract. SDC contracts arrange for payment of the fees in installments over a period of up to 10 years. The interest rate, per annum, on the unpaid SDC fees is the prime rate plus 2%.

Please contact Public Works Engineering staff at 541-682-8400 to discuss current SDC rates.

The Eugene Water & Electric Board (EWEB) collects a water SDC that is separate from the City SDCs. Contact EWEB at 541-484-2411 for more information.

#### **Fire Code Requirements**

Oregon Fire Code (OFC)

Depending on such factors as size, location on site, and availability of water, a secondary dwelling unit may trigger requirements for fire protection and safety, including sprinklering for the structure. For information, please contact Fire Prevention staff at the Permit & Information Center.